

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TAN MAY YEN,

CASE NO. 2:24-cv-00919-JHC

Plaintiff,

ORDER

V.

KO CHEUK YIN,

Defendant.

This matter comes before the Court sua sponte. On July 22, 2024, the Court issued an Order to Show Cause directing the Plaintiff to show cause “as to why the Court should not dismiss Plaintiff’s claims for failure to register the copyright at issue.” Dkt. # 13. In Plaintiff’s response to the Order to Show Cause, they recognize that the copyright is not registered. Dkt. # 14 at 1. Thus, pursuant to the Court’s reasoning in its Order to Show Cause, Dkt. # 13, the Court dismisses Plaintiff’s complaint for failure to state a claim.

Plaintiff asks the Court to stay the case pending the United States Copyright Office's determination on Plaintiff's copyright application. Dkt. # 13 at 1–2. The Court declines to exercise its discretion to stay this case. *See Ernest Bock, LLC v. Steelman*, 76 F.4th 827, 842

1 (9th Cir. 2023) (the Court has “inherent authority to stay federal proceedings pursuant to its
2 docket management powers”).

3 Defendant’s counterclaims appear to arise under state law. Dkt. ## 8 at 3–4; 9 at 3–4.
4 Defendants are both foreign nations, so there is no diversity jurisdiction. *See* 28 U.S.C. 1332(a).
5 Because the Court has dismissed the copyright action for failure to state a claim, the Court
6 declines to exercise supplemental jurisdiction over the counterclaims. 28 U.S.C. § 1337(c)(3).

7 The Court DISMISSES Plaintiff’s copyright claims without prejudice for failure to state a
8 claim and DIMISSES Defendant’s counterclaims without prejudice for lack of subject matter
9 jurisdiction.

10 Dated this 5th day of August, 2024.

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12 John H. Chun
13 United States District Judge
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